

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ELAINE L. CHAO,)
SECRETARY OF LABOR,)
UNITED STATES DEPARTMENT OF LABOR,)
Plaintiff,)

CIVIL ACTION FILE
NO. 8:05CV356

v.)

DORE & ASSOCIATES CONTRACTING,)
INC.,)
Defendant.)

JUDGMENT

Plaintiff having filed her complaint, and Defendant having agreed to the entry of this judgment without contest;

It is, therefore, upon motion of counsel for the Plaintiff, and for cause shown:

ORDERED, ADJUDGED, and DECREED that Defendant, its officers, agents, servants, employees, and those persons in active concert or participation with it who receive actual notice of this judgment be, and each of them hereby is, permanently enjoined and restrained from violating the provisions of sections 15(a)(2) and 15(a)(5) of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. § 201 et seq.), hereinafter called the Act, in any of the following manners:

Defendant shall not, contrary to sections 6 and 15(a)(2) of the Act, fail to pay to its employees engaged in commerce or in the production of goods for commerce, or employed in its enterprise engaged in commerce or in the production of goods for commerce, wages at rates not less

than \$5.15 an hour, or any rate subsequently made applicable by amendment to the Act.

Defendant shall not, contrary to sections 7 and 15(a)(2) of the Act, employ any of their employees in commerce or in the production of goods for commerce, or its enterprise engaged in commerce or in the production of goods for commerce, for workweeks longer than 40 hours without compensating such employee for his or her employment in excess of 40 hours per workweek at a rate not less than one and one-half times the regular rate at which he or she is employed.

Defendant shall not, contrary to sections 11(c) and 15(a)(5) of the Act, fail to make, keep and preserve adequate and accurate records of its employees, and of the wages, hours and other conditions and practices of employment maintained by it, as prescribed by the regulations issued, and from time to time amended, pursuant to section 11(c) of the Act (29 C.F.R. § 516). Defendant shall make such records available at all reasonable times to representatives of the Plaintiff.

IT IS ORDERED, ADJUDGED, and DECREED that Plaintiff shall recover from Defendant the sum of \$14,000 in unpaid overtime compensation for workweeks ending November 10, 2002 through August 3, 2003, for certain of Defendant's employees.

Upon receipt of full payment from Defendant, Plaintiff's counsel shall file with the Court a certificate of payment and representatives of the Plaintiff shall

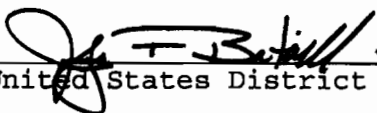
distribute such amounts less appropriate deductions for federal income withholding taxes and the employee's share of the social security (F.I.C.A.) tax to the employees or their legal representative as their interests may appear, in accordance with the provisions of section 16(c) of the Act. Defendant remains responsible for the employer's share of F.I.C.A. arising from or related to the back wages distributed by Plaintiff.

This Court shall retain jurisdiction over this action and the parties hereto as may be necessary to enforce the provisions of the judgment.

Each party shall bear her or its own attorneys' fees, costs and other expenses incurred by such party to date in connection with any stage of the above-referenced proceeding including, but not limited to, attorneys' fees, costs and other expenses which may be available under the Equal Access to Justice Act, as amended.

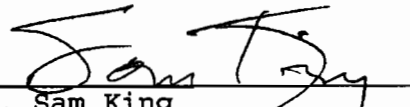
The Court directs the entry of this Consent Judgment as a final Order.

Dated this 28 day of Dec., 2006.


United States District Judge

Entry of this judgment
is hereby consented to:

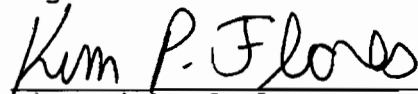
DORE & ASSOCIATES CONTRACTING, INC.

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U.S. Department of Labor
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